

Biennial Performance Report

General Guidance

Pursuant to Education Department General Administrative Regulations (EDGAR), at 34 CFR §80.40, the State education agency in each State is required to submit a Performance Report on the State's use of Federal funds. The Secretary has determined that the Part B Performance Report shall be submitted every other year to coincide with requirements to report to the Secretary and the public on the progress of the State, and of children with disabilities in the State, toward meeting the performance goals and indicators established by the State. EDGAR requires that the Biennial Performance Report be submitted within 90 days after the close of the Federal fiscal year, unless a justified request is submitted by a grantee, at which time the Federal agency may extend the due date for the Biennial Performance Report (34 CFR §80.40).

On August 3, 2001, the Council of Chief State School Officers (CCSSO), on behalf of the Education Information Advisory Committee, made a recommendation that the Office of Special Education Programs (OSEP) set a submission date of May 31, 2002, for the Biennial Performance Report that covers the July 1, 1999 through June 30, 2000 and July 1, 2000 through June 30, 2001 grant years. In response to the CCSSO recommendation, the Secretary has determined that this Biennial Performance Report will be submitted no later than May 31, 2002. The Biennial Performance Report must address the items contained in the general instructions. Only data from the most current grant year (July 1, 2000 through June 30, 2001) of the two grant years are to be reported on the various tables.

This information is used by this Office for a variety of purposes, including ongoing monitoring of the implementation of Part B of the Individuals with Disabilities Education Act (IDEA), background in preparation for OSEP monitoring, data for the Annual Report to Congress on the implementation of the IDEA, data addressing the Part B performance indicators that accompany the Department's annual budget proposal, responses to Congressional inquiries, and determining the need for revisions to the State's State Improvement Grant, if the State is a grantee. Measures received from States will not always be strictly comparable even though specific guidance is provided in the general instructions.

The goals and performance indicators that States report in this Biennial Performance Report should be used in the development and/or planning for their Federal Part B Continuous Improvement Monitoring Process self-assessments and improvement plans.

Please submit an original and three copies of the Report to:

Larry Wexler
Deputy Director
Monitoring and State Improvement Planning Division
Office of Special Education Programs
U.S. Department of Education
Mary E. Switzer Building
330 C Street, SW, Room 3630
Washington, DC 20202-2640

The submission requirements for the Biennial Performance Report, with each table, can be accessed at <http://www.ed.gov/offices/OSERS/OSEP/Monitoring/>. If you have any further questions about the Biennial Performance Report, please contact your Part B State Contact.

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Paperwork Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this collection is 1820-0624. The time required to complete this information collection is estimated to average 40 hours per response, including the time to review instructions, search existing sources of data, gather data needed, and complete and review information collection. If you have comments concerning the accuracy of the time estimates or suggestions for improving this form, please write to the U.S. Department of Education, Washington, DC 20202-4651. If you have comments or concerns regarding the status of your individual submission, write directly to the Monitoring and State Improvement Planning Division, Office of Special Education Programs, U.S. Department of Education, Mary E. Switzer Building, 330 C Street, SW, Room 3630, Washington, DC 20202-2640.

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Sections/Tables

When preparing this Biennial Performance Report, States should organize the report using the following sections. The tables are to be used when reporting data for each section. Only data from the most current grant year (July 1, 2000 through June 30, 2001) of the two grant years are to be reported on the various tables.

Sections	Tables
Section 1 <ul style="list-style-type: none"> Performance Goals and Indicators – 34 CFR §300.137 	Tables to use when completing Section 1 * Table 1 Performance Goals and Indicators
Section 1.1 <ul style="list-style-type: none"> Participation in and Performance on Assessment – 34 CFR §§300.137, 300.138 and 300.139 	Tables to use when completing Section 1.1 * Table 1 Performance Goals and Indicators Table1A <u>Participation in/Performance of Students Receiving Special Education Services – Overarching Questions</u> Table1B <u>Participation in/Performance of Students Receiving Special Education Services on <u>General</u> Assessments</u> Table1C <u>Participation in/Performance of Students Receiving Special Education Services on <u>Alternate</u> Assessments</u>
Section 1.2 <ul style="list-style-type: none"> Dropout Rates – 34 CFR §300.137 	Tables to use when completing Section 1.2 * Table 1 Performance Goals and Indicators
Section 1.3 <ul style="list-style-type: none"> Graduation Rates – 34 CFR §300.137 	Tables to use when completing Section 1.3 * Table 1 Performance Goals and Indicators
Section 2 <ul style="list-style-type: none"> Suspension and Expulsion – 34 CFR §300.146 	Tables to use when completing Section 2 * Table 2 Suspension and Expulsion (<i>If suspensions and expulsions are addressed on Table 1, Table 2 does not have to be completed. If addressing suspensions and expulsions on Table 1, States must include all items found in Steps 1-4 in the general instructions for Section 2: Suspension and Expulsion.</i>)
Section 3 <ul style="list-style-type: none"> Disproportionality – 34 CFR §300.755 	Tables to use when completing Section 3 * Table 3 Section 3: Disproportionality (<i>If disproportionality is addressed on Table 1, Table 3 does not have to be completed. If addressing disproportionality on Table 1, States must include all items found in Steps 1-4 in the general instructions for Section 3: Disproportionality.</i>)
* Note: As information is added to Tables 1, 2, and 3, cells will expand to accommodate the data being entered. Tables 1, 2, and 3 will become multi-page reports.	

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Cross-Reference Data

When developing self-assessments and/or improvement plans, States are encouraged to use, at a minimum, the performance goals and indicators that are addressed at 34 CFR §300.137. When preparing the Biennial Performance Report for SYs 1999-2000 and 2000-2001, States should show in their reporting how the performance goals and indicators have been used in the development of their self-assessments and improvement plans. To assist States with this reporting Cross-Reference Data sections are found in the general instructions. The June 27, 2001, "Revised Clusters" components, i.e., BF.7, etc., from the Continuous Improvement Monitoring Process – State's Self-Assessment, and goals, objectives, and indicators from the Government Performance and Results Act are located in the Cross-Reference Data sections. The Cross-Reference Data sections are for information purposes only.

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Section 1: Performance Goals and Indicators 34 CFR §300.137

General Instructions:

States are to use Table 1 when reporting on performance goals and indicators in this Biennial Performance Report. Table 1 is a template that can be accessed electronically at <http://www.ed.gov/offices/OSERS/OSEP/Monitoring/>. States should expand/modify the template according to the number of goals and indicators the State has established for the performance of children with disabilities in the State, as specified in 34 CFR §300.137. For example, if a State has established ten performance goals with supporting indicators, then Table 1 should be expanded/modified to reflect those ten goals/indicators. Only data from the most current grant year (July 1, 2000 through June 30, 2001) of the two grant years are to be reported on Table 1. States should read the instructions for Section 1.1 – Participation in and Performance on Assessment; Section 1.2 – Dropout Rates; and Section 1.3 – Graduation Rates before completing Table 1.

- Step 1:** In the cells labeled Goal 1, Goal 2, etc., on Table 1, provide the goals the State has established for the performance of children with disabilities in the State. Indicate with an asterisk (*) goals and indicators that are consistent with the goals and indicators for children who are nondisabled.
- Step 2:** In the cells labeled Goal 1/Indicator A, Goal 1/Indicator B, etc., on Table 1, provide the performance indicators the State will use to assess progress toward achieving those goals to which the indicator is associated. **At a minimum, address the performance of children with disabilities on assessments, dropout rates, and graduation rates.** On Table 1 address the goals and indicators for these three areas before entering other performance goals and indicators that the State has developed.
- Step 3:** In the cells labeled Performance Data for Goal 1/Indicator A, Performance Data for Goal 1/Indicator B, etc., on Table 1, provide performance data that describes the progress the State has made while attempting to achieve the performance goal and how the indicator data relates to that achievement.
- Step 4:** In the cells labeled Explanation/Discussion for Goal 1, etc., on Table 1, show how the State has used the information on the State's performance on the goal to make adjustments or improvements in programs, policy, or practice. **If the State needs to explain the performance data, the explanation should be provided on this table.** For example, the State data reporting standards may have changed for the July 1, 2000 through June 30, 2001 grant year that is being reported. These data changes should be explained to avoid invalid comparisons over time when attempting to create trends for analysis.
- Step 5:** In the cells labeled Performance Targets/Benchmarks for Goal 1/Indicator A, etc., on Table 1, provide the performance target and related benchmarks the State has set for the associated goal/indicator. The performance target is a long-range effect the State is hoping to accomplish. Benchmarks are measures that will enable the State to determine, from short-term effects, if the performance target will be met.
- Step 6:** In the cell located at the bottom of Table 1, enter the percentage of the total performance goals established for students with disabilities that are consistent with those for nondisabled students. In the same cell, explain how the State is maintaining and/or increasing this percentage.

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Section 1.1: Participation in and Performance on Assessment – Revised 4/4/02 34 CFR §§300.138 and 300.139

General Instructions:

States are to use Tables 1, 1A, 1B, and 1C when reporting participation in and performance on assessment in this Biennial Performance Report. Tables 1, 1A, 1B, and 1C are templates that can be accessed electronically at <http://www.ed.gov/offices/OSERS/OSEP/Monitoring/>. States are to describe the participation of children with disabilities on State-wide assessments. Only data from the most current grant year (July 1, 2000 through June 30, 2001) of the two grant years are to be reported on the various tables.

When completed, Tables 1, 1B, and 1C may contain multiple pages with attachments. **States may modify Tables 1B and 1C to reflect the way in which State assessment data are reported.** For example, if a State has more than three proficiency levels and/or more than four content areas, Table 1B should be modified to accurately show the number of State proficiency levels and/or content areas.

Step 1: In the cells labeled Goal 1, Goal 2, etc., on Table 1, provide the goals for both **participation in and performance on assessment** that the State has established for children with disabilities in the State. Indicate with an asterisk (*) goals and indicators that are the same as the goals and indicators for children who are nondisabled.

Step 2: In the cells labeled Goal 1/Indicator A, Goal 1/Indicator B, etc., on Table 1, provide the performance indicators for both **participation in and performance on assessment** that the State will use to assess progress toward achieving those goals to which the indicator is associated.

Step 3: Complete Table 1A, Participation/Performance of Students Receiving Special Education Services – Overarching Questions, by answering the questions and entering the requested totals. Provide a response for Question 5, if applicable.

Step 4: Complete the following columns on the Table 1B, Participation/Performance of Students Receiving Special Education Services on General Assessments, and Table 1C, Participation/Performance of Students Receiving Special Education Services on Alternate Assessments:

Grade/Age – Tables 1B and 1C are constructed to allow States to report participation and performance by either grade or age level. Indicate with an X, in the space provided, whether the State is reporting data by grade or age. “Un-graded” students should be reported at a specified grade and/or age level. When reporting “un-graded” students, States are to provide, in the cell labeled Explanation/Discussion for the appropriate goal on Table 1, the calculation used in determining the specified grade and/or age levels in which the “un-graded” students are reported, e.g., a specific age equals a grade; a range of three years of age divided by three equals a grade level, etc. **If State-wide assessments involve grade or age ranges, modify the tables to show the appropriate ranges.**

Content Areas – Enter the content areas in which State-wide assessments are given. Multiple pages may be needed if more than four content areas are assessed.

Proficiency Levels – Enter the established proficiency levels used by the State to report performance for ALL students taking State-wide assessments. Multiple pages may be needed to enter additional levels.

Number of Students Assessed – Report **only** the number of students with disabilities assessed at each grade/age level, by content area, **that fall within one of the proficiency levels established by the State.**

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Step 5: In the cell labeled Explanation/Discussion for the appropriate goal on Table 1, address the following questions:

- Does the State have a policy that allows a parent to “exempt” their child from State or district-wide assessments? If so, provide a copy of that policy and indicate how many students with disabilities were subject to this “parental” exemption.
- When statistically sound, has the State defined performance levels for the Alternate Assessment? If not, in the Performance Targets/Benchmarks cell on Table 1, indicate the schedule/timeline for completion.
- Does a single alternate assessment represent multiple content areas, or are there separate alternate assessments for each content area?
- How does the exclusion/exemption rate for students with disabilities compare to that for students who are nondisabled?
- How does the State identify students with disabilities who are participating in State-wide assessments?

Step 6: Submit the following materials as attachments to the Biennial Performance Report for SY 2000-2001:

- Copy of State guidelines for participation in alternate assessments; and
- **Sample** of a district-level report of State-wide testing results (select a district that has at least a grand total of 500 students in enrollment).

Source of Data (Information purposes only):

State/District-Level Assessment Data

Cross-Reference Data (Information purposes only):

Continuous Improvement Monitoring Process – State’s Self-Assessment

Part B – Free Appropriate Public Education in the Least Restrictive Environment

BF.7 Is continuous progress made by children with disabilities within the State’s system for educational accountability?

Government Performance and Results Act (GPRA)

Goal: To improve results for children with disabilities by assisting State and local educational agencies to provide children with disabilities access to high-quality education that will help them meet challenging standards and prepare them for employment and independent living.

Objective 3: All children with disabilities have access to the general curriculum and assessments, with appropriate accommodations, supports, and services, consistent with high standards.

Indicator 3.2 Performance on National Assessment of Educational Progress (NAEP): The percentage of students with disabilities who meet or exceed basic levels in reading, math, and science in the NAEP will increase. The number of students with disabilities who do not meet basic standards will decrease. The percentage of students who are excluded from the NAEP because of their disabilities will decrease.

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Section 1.2: Dropout Rates 34 CFR §300.137

General Instructions:

States are to use Table 1 when reporting dropout rates in this Biennial Performance Report. Table 1 is a template that can be accessed electronically at <http://www.ed.gov/offices/OSERS/OSEP/Monitoring/>. States should expand/modify the template according to the number of goals and indicators the State has established. Only data from the most current grant year (July 1, 2000 through June 30, 2001) of the two grant years are to be reported on Table 1. When completed, Table 1 should contain multiple pages with possible attachments.

- Step 1:** In the cells labeled Goal 1, Goal 2, etc., on Table 1, provide the goals for the **dropout rate** the State has established for the performance of children with disabilities in the State.
- Step 2:** In the cells labeled Goal 1/Indicator A, Goal 1/Indicator B, etc., on Table 1, provide the performance indicators for the **dropout rate** the State has established for the performance of children with disabilities in the State.
- Step 3:** In the cells labeled Data for Goal 1/Indicator A, Data for Goal 1/Indicator B, etc., on Table 1, provide performance data for the most current grant year (July 1, 2000 through June 30, 2001) that supports the goal/indicator(s) to which the data are associated. States must use State-level dropout data. If an attachment is used to provide data, enter "Refer to attached Dropout Rates Table" in the cell labeled Data for Goal/Indicator.
- Step 4:** In the cells labeled Explanation/Discussion for Goal 1, etc., on Table 1, show how the State has used the information on the State's performance on the goal to make adjustments or improvements in programs, policy, or practice. If an explanation is needed regarding the performance data, the explanation should be provided in this cell.
- Step 5:** In the cell labeled Explanation/Discussion for the appropriate goal on Table 1, address the following:
- Provide a narrative that describes and/or a list that shows all student categories included when determining State dropout rate; and
 - Provide and explain the calculation used in determining the dropout rate for students with disabilities. Is the calculation used the same as the one used in determining the dropout rate for students who are not disabled? If not, indicate the difference and explain why there is a difference.
- Step 6:** In the cells labeled Performance Targets/Benchmarks for Goal 1/Indicator A, etc., on Table 1, provide the performance target and related benchmarks the State has set for the associated goal/indicator. The performance target is a long-range effect the State is hoping to accomplish in regard to the **dropout rate** for students with disabilities. Benchmarks are measures that will enable the State to determine, from short-term effects, if the performance target will be met in regard to **dropout rate**.

Source of Data (Information purposes only):

State-Level Dropout Data

Cross-Reference Data (Information purposes only):

1999 and 2000 Annual Report of Children –

Table 4: Report of Children with Disabilities Exiting Special Education

Continuous Improvement Monitoring Process – State's Self-Assessment

Part B – Secondary Transition

BT.1 After exiting school, are youth with disabilities prepared for employment, postsecondary

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education and/or independent living?

BT.2 Are youth with disabilities participants in appropriate transition planning?

Government Performance and Results Act (GPRA)

Goal: To improve results for children with disabilities by assisting State and local educational agencies to provide children with disabilities access to high-quality education that will help them meet challenging standards and prepare them for employment and independent living.

Objective 3: All children with disabilities have access to the general curriculum and assessments, with appropriate accommodations, supports, and services, consistent with high standards.

OSEP Indicator 3.4 Statement of transition services needs. The percentage of children with disabilities ages 14 and 15 that have individualized education programs that include a statement of transition service needs that focuses on the student's courses of study (e.g., advanced placement courses or a vocational education program) will increase.

Objective 4: Secondary school students with disabilities receive the support they need to complete high school prepared for postsecondary education or employment.

Indicator 4.1 Graduation: The percentage of children with disabilities exiting school with a regular high-school diploma will increase, and the percentage who drop out will decrease.

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Section 1.3: Graduation Rates 34 CFR §300.137

General Instructions:

States are to use Table 1 when reporting graduation rates in this Biennial Performance Report. Table 1 is a template that can be accessed electronically at <http://www.ed.gov/offices/OSERS/OSEP/Monitoring/>. States should expand/modify the template according to the number of goals and indicators the State has established. Only data from the most current grant year (July 1, 2000 through June 30, 2001) of the two grant years are to be reported on Table 1.

- Step 1:** In the cells labeled Goal 1, Goal 2, etc., on Table 1, provide the goals for the **graduation rate** the State has established for the performance of children with disabilities in the State.
- Step 2:** In the cells labeled Goal 1/Indicator A, Goal 1/Indicator B, etc., on Table 1, provide the performance indicators for the **graduation rate** the State has established for the performance of children with disabilities in the State.
- Step 3:** In the cells labeled Data for Goal 1/Indicator A, Data for Goal 1/Indicator B, etc., on Table 1, provide performance data for the most current grant year (July 1, 2000 through June 30, 2001) that supports the goal/indicator to which the data are associated. States must use State level graduation data. If an attachment is used to provide data, enter "Refer to attached Graduation Rates Table" in the cell labeled Data for Goal/Indicator on Table 1.
- Step 4:** In the cells labeled Explanation/Discussion for Goal 1, etc., on Table 1, show how the State has used the information on the State's performance on the goal to make adjustments or improvements in programs, policy, or practice. If an explanation is needed regarding the performance data, the explanation should be provided in this cell.
- Step 5:** In the cell labeled Explanation/Discussion for the appropriate goal on Table 1 address the following:
- Provide a narrative that describes and/or a list that indicates State conditions that lead to high school graduation, i.e., alternate diplomas, high-stakes test, GED, etc.
 - Provide and explain the calculation used in determining the graduation rate for students with disabilities. Is the calculation used the same as the one used in determining the graduation rate for students who are not disabled? If not, indicate the difference and explain why there is a difference.
- Step 6:** In the cells labeled Performance Targets/Benchmarks for Goal 1/Indicator A, etc., on Table 1, provide the performance target and related benchmarks the State has set for the associated goal/indicator. The performance target is a long-range effect the State is hoping to accomplish in regard to the **graduation rate** for students with disabilities. Benchmarks are measures that will enable the State to determine, from short-term effects, if the performance target will be met in regard to the **graduation rate**.

Source of Data (Information purposes only):

State-Level Graduation Data

Cross-Reference Data (Information purposes only):

2000 Annual Report of Children –

Table 4: Report of Children with Disabilities Exiting Special Education

Continuous Improvement Monitoring Process – State's Self-Assessment

Part B – Secondary Transition

BT.1 After exiting school, are youth with disabilities prepared for employment, postsecondary education, and/or independent living?

BT.2 Are youth with disabilities participants in appropriate transition planning?

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Government Performance and Results Act (GPRA)

Goal: To improve results for children with disabilities by assisting State and local educational agencies to provide children with disabilities access to high-quality education that will help them meet challenging standards and prepare them for employment and independent living.

Objective 3: All children with disabilities have access to the general curriculum and assessments, with appropriate accommodations, supports, and services, consistent with high standards.

OSEP Indicator 3.4 Statement of transition services needs. The percentage of children with disabilities ages 14 and 15 that have IEPs that include a statement of transition service needs that focuses on the student's courses of study (e.g., advanced placement courses or a vocational education program) will increase.

Objective 4: Secondary school students with disabilities receive the support they need to complete high school prepared for postsecondary education or employment.

Indicator 4.1 Graduation: The percentage of children with disabilities exiting school with a regular high-school diploma will increase, and the percentage who drop out will decrease.

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Section 2: Suspension and Expulsion – Revised 4/4/02 34 CFR §300.146

General Instructions:

States are to use Table 2 when reporting suspensions and expulsions in this Biennial Performance Report. Table 2 is a template that can be accessed electronically at <http://www.ed.gov/offices/OSERS/OSEP/Monitoring/>. Only data from the most current grant year (July 1, 2000 through June 30, 2001) of the two grant years are to be reported on Table 2. **If the State has written a performance goal for suspension and expulsion and the goal, with supporting data, is included on Table 1, Table 2 of the Biennial Performance Report does not have to be completed. However, in such instances all reporting requirements found in Steps 1-4 in the general instructions for Section 2: Suspension and Expulsion must be met.** For example, on Table 2, in the cell labeled Performance Data, enter the suspension and expulsion goal number and a short explanation indicating that the reporting requirements for Section 2 are covered in Section 1, e.g. "Goal #6 on Table 1 addresses suspension and expulsion and the supporting data includes all reporting requirements found in Steps 1-4 in Section 2 of the Biennial Performance Report." The remaining portion of Table 2 would be left blank.

When completed, Table 2 should contain multiple pages with attachments.

Step 1: In the cell labeled Performance Data, on Table 2, provide suspension and expulsion performance data for the most current year (July 1, 2000 through June 30, 2001). States must use the data that were reported for Table 5, Section A, Columns 3A and 3B, Report of Children with Disabilities Unilaterally Removed or Suspended/Expelled for More than 10 Days of the Annual Report of Children Served for SY 2000-2001. Table 5 can be found at <http://www.ed.gov/offices/OSERS/OSEP/Monitoring/>. If an attachment is used to provide data, enter "Refer to attached Suspension and Expulsion Table" in the cell labeled Performance Data on Table 2.

Step 2: In the cell Explanation/Discussion for Suspension and Expulsion Data, on Table 2, describe the results of the State's examination of data to determine if significant discrepancies are occurring in the rate of long-term suspensions and expulsions of children with disabilities, as required at 34 CFR §300.146(a). The States examination must include either a comparison:

- Among local educational agencies within the State, or
- To the rates for nondisabled children within the agencies.

In the description, specify which method the State used to determine possible discrepancies and explain what constitutes those discrepancies.

If the State needs to explain the performance data, the explanation should be provided in this section.

Step 3: In the cell labeled Suspension and Expulsion Performance Targets/Benchmarks, on Table 2, **list the number of agencies** with significant discrepancies in the rate of long-term suspensions and expulsions of children with disabilities, as described in the bulleted items in Step 2 and what action was taken by the State and/or local educational agencies in response to the findings. Provide the performance target and related benchmarks the State has set in regard to these findings. The performance target is a long-range effect the State is hoping to accomplish in regard to **suspension and expulsion rates** for students with disabilities. Benchmarks are measures that will enable the State to determine, from short-term effects, if the performance target will be met in regard to **suspension and expulsion rates**.

Step 4: In the cell labeled Explanation/Discussion for Suspension and Expulsion Data, on Table 2, if discrepancies are occurring, describe the significant discrepancies that are occurring in the rate of long-term suspensions and expulsions of children with disabilities and show how the State has used the information on the State's performance on the goal to make adjustments or improvements in programs, policy, or practice.

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Source of Data (Information purposes only):

2000 Annual Report of Children –

Table 5: Report of Children with Disabilities Subject to Unilateral Removal, Removal Based on a Hearing Officer Determination Regarding Likely Injury, or Long-term Suspension/Expulsion

Cross-Reference Data (Information purposes only):

Continuous Improvement Monitoring Process – State's Self-Assessment

Part B – Free Appropriate Public Education in the Least Restrictive Environment

BF.4 Are appropriate special education and related services provided to children with disabilities served by the public agency?

BF.5 Are appropriate services provided to children with disabilities whose behavior impedes learning?

Government Performance and Results Act (GPRA)

Goal: To improve results for children with disabilities by assisting State and local educational agencies to provide children with disabilities access to high-quality education that will help them meet challenging standards and prepare them for employment and independent living.

Objective 3: All children with disabilities have access to the general curriculum and assessments, with appropriate accommodations, supports, and services, consistent with high standards.

Indicator 3.3 Suspensions or expulsions: The percentage of children with disabilities who are subject to long-term suspension or expulsion, unilateral change in placement, or change in placement if their current placement is likely to result in injury to the child or to others, will decrease.

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Section 3: Disproportionality 34 CFR §300.755

General Instructions:

States are to use Table 3 when reporting disproportionality in this Biennial Performance Report. Table 3 is a template that can be accessed electronically at <http://www.ed.gov/offices/OSERS/OSEP/Monitoring/>. Only data from the most current grant year (July 1, 2000 through June 30, 2001) of the two grant years are to be reported on Table 3. **If the State has written a performance goal for disproportionality and the goal, with supporting data, is included on Table 1, Table 3 of the Biennial Performance Report does not have to be completed. However, in such instances all reporting requirements found in Steps 1-4 in the general instructions for Section 3: Disproportionality must be met.** For example, on Table 3, in the cell labeled Performance Data, enter the disproportionality goal number and a short explanation indicating that the reporting requirements for Section 3 are covered in Section 1, e.g. "Goal #7 on Table 1 addresses disproportionality and the supporting data includes all reporting requirements found in Steps 1-4 in Section 3 of the Biennial Performance Report." The remaining portion of Table 3 would be left blank.

When completed, Table 3 should contain multiple pages with possible attachments.

Step 1: In the cell labeled Performance Data, on Table 3, provide disproportionality data for the most current year (July 1, 2000 through June 30, 2001) **that is crosstabulated by setting and race/ethnicity**. Data that are analyzed and used in this cell of the Biennial Performance Report must be the same data that are reported on Table 1, Report of Children with Disabilities Receiving Special Education Under Part B of the Individuals with Disabilities Education Act, and Table 3, Part B, Individuals with Disabilities Education Act Implementation of FAPE Requirements of the Annual Report of Children Served for SY 2000-2001. Tables 1 and 3 of the Annual Report of Children Served can be found at <http://www.ed.gov/offices/OSERS/OSEP/Monitoring/>. If an attachment is used to provide data, enter "Refer to attached Disproportionality Table" in the cell labeled Performance Data on Table 3.

Step 2: When analyzing **State** level data that are reported on Tables 1 and 3 as indicated above, States are to:

- Identify children as children with a particular impairment;
- Determine the placement of those children in a particular educational setting;
- Complete a percent distribution of race/ethnicity across the **State's child count population** (with all race/ethnicity categories adding up to 100%);
- Complete a percent distribution of race/ethnicity for the **State's general student population** (with all race/ethnicity categories adding up to 100%); then
- Multiply the **State** percentages of any category/data cell involving race/ethnicity, in the **State's general population** percentage distribution, by .2.¹ The product (in percentage) is then added to and subtracted from the percentage found in the category/data cells involving race/ethnicity for the State's **general population** percentage distribution. Any percentage, in the State's child count population percent distribution, found to be over the sum or under the difference in the State's general population percentage distribution, creates a trigger in an area that the State should study.

For example, if 30% of the State's **general population** percentage distribution is Black (not Hispanic), multiply 30% x .2. Any category/data cell involving Black (not Hispanic), in the State's **child count** population percentage distribution, that is over 36% or under 24% would

¹The ".2" factor was selected as a means to provide consistency in reporting across all States. In some instances in small districts the ".2" factor may suggest a discrepancy where, in truth, the numbers are so small there is no need for concern.

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indicate the need for review and the possible revision of policies, procedures, and practices used in the identification or placement of children.

Step 3: In the cell labeled Explanation/Discussion for Disproportionality Data, on Table 3, describe the results of the **State-level** examination of data that the State collected (in Step 2) to determine if significant disproportionality based on race is occurring in the State with respect to the identification and placement of children with disabilities. Include a description of findings in the following categories:

- The identification of children as children with disabilities,
- The identification of children as children with a particular impairment, and
- The placement of children in a particular educational setting.

If the State needs to explain the performance data, the explanation should be provided in this section.

Step 4: In the case of a determination of significant disproportionality with respect to the identification of children as children with disabilities, or the placement in particular educational settings of such children, in the cell labeled Disproportionality Performance Targets/Benchmarks, on Table 3, show how the State has used the information on the State's performance to make adjustments or improvements in programs, policy, or practice, if appropriate. For example, the State may review district-level data to determine where significant disproportionality may exist within the State; and, if appropriate, require the revision of policies, procedures, and practices in those districts.

Also provide the performance target and related benchmarks the State has set in regard to the identified disproportionality. The performance target is a long-range effect the State is hoping to accomplish in regard to **disproportionality rates** for students with disabilities. Benchmarks are measures that will enable the State to determine, from short-term effects, if the performance target will be met in regard to **disproportionality rates**.

Source of Data (Information purposes only):

2001 Annual Report of Children –

Table 1: Report of Children with Disabilities Receiving Special Education Under Part B of the Individuals with Disabilities;

Table 3: Part B, Individuals with Disabilities Education Act Implementation of FAPE Requirements

Cross-Reference Data (Information purposes only):

Continuous Improvement Monitoring Process – State's Self-Assessment

Part B – Free Appropriate Public Education in the Least Restrictive Environment

BF.10.C. Is the percentage of children with disabilities, by race/ethnicity, receiving special education comparable to the percentage of children, by race/ethnicity, in the general population?

TABLE 1

State of _____

Biennial Performance Report Performance Goals and Indicators

Note: Indicate with an asterisk () goals and indicators that are the same as the goals and indicators for students who are nondisabled. At a minimum, assessment, dropout rates, and graduation rates are to be addressed.*

Goal 1:	
Goal 1/Indicator A:	Performance Targets/Benchmarks for Goal 1/Indicator A:
Performance Data for Goal 1/Indicator A: 2000-2001	
Explanation/Discussion for Goal 1/Indicator A Performance Data:	
Goal 1/Indicator B:	Performance Targets/Benchmarks for Goal 1/Indicator B:
Performance Data for Goal 1/Indicator B: 2000-2001	
Explanation/Discussion for Goal 1/Indicator B Performance Data:	
Goal 2:	
Goal 2/Indicator A:	Performance Targets/Benchmarks for Goal 2/Indicator A:
Performance Data for Goal 2/Indicator A: 2000-2001	
Explanation/Discussion for Goal 2/Indicator A Performance Data:	
Goal 2/Indicator B:	Performance Targets/Benchmarks for Goal 2/Indicator B:
Performance Data for Goal 2/Indicator B: 2000-2001	
Explanation/Discussion for Goal 2/Indicator B Performance Data:	
Enter the percentage of the total performance goals established for students with disabilities that are consistent with those for nondisabled students. _____ %	

TABLE 1A

Biennial Performance Report
Participation in/Performance of Students Receiving Special Education Services

Overarching Questions

SY: 2000-2001

State: _____

Assessment Questions	Totals
1. At the grade or age levels tested, as shown on Table 1B, how many students with disabilities participated in the <u>general</u> assessment for the school year reported? (Unduplicated Count)	
2. At the grade or age levels tested, as shown on Table 1C, how many students participated in the <u>alternate</u> assessment for the school year reported? (Unduplicated Count)	
3. At the grade or age levels tested, as shown on Tables 1B and 1C, how many students were provided accommodations or modifications in either assessment measure? (Unduplicated Count)	
4. Do the totals shown for questions 1 and 2 include all students who were provided accommodations or modifications in the assessment? If yes, enter a zero in the cell to the right. If no, provide the number of students who were provided accommodations or modifications in the assessments and were <u>not</u> included Table 1B or Table 1C. (Unduplicated Count)	
5. At the grade or age levels tested, as shown on Tables 1B and 1C, did <u>ALL</u> students with disabilities participate in at least one assessment measure? If yes, enter a zero in the cell to the right. If no, enter, in the cell to the right, the total number of students who did not participate. If a total is entered in the cell to the right, what is the State's plan for including the participation of these students in future assessments? Response (If applicable) :	

Biennial Performance Report
Participation in/Performance of Students Receiving Special Education Services on General Assessments

SY: 2000-2001

State: _____

General Assessment											
Grade	Age	Content Area:					Content Area:				
		Proficiency Level	Proficiency Level	Proficiency Level	Proficiency Level	Proficiency Level	Proficiency Level	Proficiency Level	Proficiency Level	Proficiency Level	Proficiency Level
		No. of Students Assessed	No. of Students Assessed	No. of Students Assessed	No. of Students Assessed	No. of Students Assessed	No. of Students Assessed	No. of Students Assessed	No. of Students Assessed	No. of Students Assessed	No. of Students Assessed
1	6 Yrs										
2	7 Yrs										
3	8 Yrs										
4	9 Yrs										
5	10 Yrs										
6	11 Yrs										
7	12 Yrs										
8	13 Yrs										
9	14 Yrs										
10	15 Yrs										
11	16 Yrs										
12	17 + Yrs										

If ALL information found in Table 1B is being reported as part of the State's "report to the public" (34 CFR §300.139(b)), then Table 1B is NOT required. Instead, submit a copy of the State's "report to the public" with the Biennial Performance Report and indicate, in the row labeled Explanation/Discussion in Table 1, where the information found in Table 1B can be located in the State's "report to the public".

Biennial Performance Report
Participation in/Performance of Students Receiving Special Education Services on Alternate Assessments

SY: 2000-2001

State: _____

Alternate Assessment											
Grade	Age	Content Area:					Content Area:				
		Proficiency Level	Proficiency Level	Proficiency Level	Proficiency Level	Proficiency Level	Proficiency Level	Proficiency Level	Proficiency Level	Proficiency Level	Proficiency Level
		No. of Students Assessed	No. of Students Assessed	No. of Students Assessed	No. of Students Assessed	No. of Students Assessed	No. of Students Assessed	No. of Students Assessed	No. of Students Assessed	No. of Students Assessed	No. of Students Assessed
1	6 Yrs										
2	7 Yrs										
3	8 Yrs										
4	9 Yrs										
5	10 Yrs										
6	11 Yrs										
7	12 Yrs										
8	13 Yrs										
9	14 Yrs										
10	15 Yrs										
11	16 Yrs										
12	17 + Yrs										

If ALL information found in Table 1C is being reported as part of the State's "report to the public" (34 CFR §300.139(b)), then Table 1C is NOT required. Instead, submit a copy of the State's "report to the public" with the Biennial Performance Report and indicate, in the row labeled Explanation/Discussion in Table 1, where the information found in Table 1C can be located in the State's "report to the public".

**Biennial Performance Report
Suspension and Expulsion**

Note: If Suspension and Expulsion are addressed on Table 1, Table 2 does not have to be completed. Indicate in the Performance Data row below which Goals and Indicators on Table 1 address Suspension and Expulsion.

Performance Data: 2000-2001**Suspension and Expulsion Performance Targets/Benchmarks:****Explanation/Discussion for Suspension and Expulsion Data:**

- Specify which method the State used to determine possible discrepancies and explain what constitutes those discrepancies.
- If applicable, describe what **types** of significant discrepancies are occurring in the rate of long-term suspensions and expulsions of children with disabilities.

**Biennial Performance Report
Disproportionality**

Note: If Disproportionality is addressed on Table 1, Table 3 does not have to be completed. Indicate in the Performance Data row below which Goals and Indicators on Table 1 address Disproportionality.

Performance Data: 2000-2001
Disproportionality Performance Targets/Benchmarks:
Explanation/Discussion for Disproportionality Data: